

uses on the basis of the Tribe's water rights on its currently existing trust lands.

(c) **APPLICABILITY OF STATE LAW ON LANDS OTHER THAN NEWLY ACQUIRED LANDS.**—The Tribe, and the United States on the Tribe's behalf, further recognize that State law applies to water uses on lands, including subsurface estates, that exist within the exterior boundaries of newly acquired trust lands and that are owned by any party other than the Tribe.

(d) **ADJUDICATION OF WATER RIGHTS ON NEWLY ACQUIRED TRUST LANDS.**—The Tribe's water rights on newly acquired trust lands shall be adjudicated with the rights of all other competing users in the court now presiding over the Little Colorado River Adjudication, or if that court no longer has jurisdiction, in the appropriate State or Federal court. Any controversies between or among users arising under Federal or State law involving the Tribe's water rights on newly acquired trust lands shall be resolved in the court now presiding over the Little Colorado River Adjudication, or, if that court no longer has jurisdiction, in the appropriate State or Federal court. Nothing in this subsection shall be construed to affect any court's jurisdiction; provided, that the Tribe shall administer all water rights established in subsection (a).

(e) **PROHIBITION.**—Water rights for newly acquired trust lands shall not be used, leased, sold, or transported for use off of such lands or the Tribe's other trust lands, provided that the Tribe may agree with other persons having junior water rights to subordinate the Tribe's senior water rights. Water rights for newly acquired trust lands can only be used on those lands or other trust lands of the Tribe located within the same river basin tributary to the main stream of the Colorado River.

(f) **SUBSURFACE INTERESTS.**—On any newly acquired trust lands where the subsurface interest is owned by any party other than the Tribe, the trust status of the surface ownership shall not impair any existing right of the subsurface owner to develop the subsurface interest and to have access to the surface for the purpose of such development.

(g) **STATUTORY CONSTRUCTION WITH RESPECT TO WATER RIGHTS OF OTHER FEDERALLY RECOGNIZED INDIAN TRIBES.**—Nothing in this section shall affect the water rights of any other federally recognized Indian tribe with a priority date earlier than the date the newly acquired trust lands are taken into trust.

(h) **STATUTORY CONSTRUCTION.**—Nothing in this section shall be construed to determine the law applicable to water use on lands owned by the United States, other than on the newly acquired trust lands. The granting of the right to make beneficial use of unappropriated surface water on the newly acquired trust lands with a priority date such lands are taken into trust shall not be construed to imply that such right is a Federal reserved water right. Nothing in this section or any other provision of this Act shall be construed to establish any Federal reserved right to groundwater. Authority for the Sec-

retary to take land into trust for the Tribe pursuant to the Settlement Agreement and this Act shall be construed as having been provided solely by the provisions of this Act.

ORDERS FOR FRIDAY, SEPTEMBER 27, 1996

Mr. LOTT. Mr. President, I now ask unanimous consent that when the Senate completes its business today, it stand in adjournment until the hour over 9:30 a.m., Friday, September 27, further, that immediately following the prayer, the Journal of proceedings be deemed approved to date, no resolutions come over under the rule, the call of the calendar be dispensed with, and the morning hour be deemed to have expired, and the time for the two leaders be reserved for their use later in the day, and that there then be a period for the transaction of morning business not to exceed beyond the hour of 12 noon with Senators permitted to speak for up to 5 minutes each, with the exception of the following Senators for the times designated: Senator McCain for 20 minutes, Senator Cohen for 45 minutes, Senator D'Amato for 10 minutes, Senator Nunn for 30 minutes, and Senator Biden for 20 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. LOTT. Mr. President, following morning business, the Senate may be asked to turn to consideration of any of the following: the Presidio parks bill conference report, the FAA conference report—I am very pleased we do have these conferences completed now, and, of course, they will be available in the morning—the FAA conference report, the Coast Guard conference report, or possibly begin consideration of the omnibus appropriations bill making continuing appropriations for fiscal year 1997. Therefore, rollcall votes can be expected throughout the day and possibly late into the night tomorrow night, because it is possible that we may be able to come to an agreement on these matters, perhaps even an agreement on the continuing resolution. Work will go forward tonight, maybe throughout the night between Senators and Congressmen, particularly on the Appropriations Committee, senior staff and the administration, to continue to make progress.

I announce to my colleagues that I believe good progress is being made.

We are not there yet, but it is a very voluminous bill, and I am convinced all parties are working in good faith. It is possible we could reach agreement tomorrow on all of these matters. I hope that happens. But if not, we will continue to move conference reports and to move forward on cloture motions if they are necessary.

There is a possibility for a weekend session in light of the fact that funding for various parts of the Government are not yet in place for the new fiscal year that starts next Tuesday. We will either have to be in session this weekend, getting our agreement completed, or have some sort of an agreement entered into as to exactly how we will get it going before Monday night at midnight.

ORDER FOR ADJOURNMENT

Mr. LOTT. If there is no further business to come before the Senate, I now ask that the Senate stand in adjournment under the previous order following the remarks of the Senator from Illinois, Senator MOSELEY-BRAUN.

The PRESIDING OFFICER. The Senator from Illinois is recognized.

Ms. MOSELEY-BRAUN. Mr. President, I thank the Chair.

(The remarks of Ms. MOSELEY-BRAUN pertaining to the introduction of S. 2132 are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

Mr. McCain addressed the Chair.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. McCain. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. McCain. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

The PRESIDING OFFICER. Under the previous order, the Senate now stands adjourned until 9:30, Friday morning, September 27, 1996.

Thereupon, at 7:34 p.m., the Senate adjourned until Friday, September 27, 1996, at 9:30 a.m.